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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,295	02/05/2002	Oscar R. Mitchell	501143.000019	9657
37141	7590	01/06/2005		
FORTKORT GRETHER + KELTON LLP 8911 N. CAPITAL OF TEXAS HWY. SUITE 3200 AUSTIN, TX 78759			EXAMINER TRUONG, LECHI	
			ART UNIT 2126	PAPER NUMBER

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/068,295	MITCHELL, OSCAR R	
	<b>Examiner</b>	<b>Art Unit</b>	
	LeChi Truong	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 05 February 2002.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) A1-A6, B1-B12 and C1-C4 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) A1-A6, B1-B12 and C1-C4 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) Notice of References Cited (PTO-892)                            4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                            5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1/21/2003 .                            6) Other: \_\_\_\_\_

## **DETAILED ACTION**

1. Claims A1-A6, B1-B12 and C1-C4 are presented for the examination.

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims A1-A6, B1-b12 and C1-C4 have been renumbered 1-22.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **A1-A6, C1-C3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al (US. Patent 6,560,450 B1).
3. **As to claim A1**, Rosenberg teaches the invention substantially as claimed including: a message (the packet, col 3, ln 7-9/ ln 23-25), a selected application (terminal within a said cell, col 2, ln 65-67 to col 3, ln 1-3/ another satellite, col 3, ln 14-17/ln 27-31/ ln 44-47/ destination sector, col 3, ln 59-62), format (format, col 10, ln 7-10), ascertaining whether the message is in a

selected application format (col 3, ln 1-3/ ln 27-31/ ln 58-61), a next location (another system node, col 3, ln 59-62), if the message is not in the selected application format: routing the message to a next location( col 3, ln 13-17/ ln 45-48/ ln 58-62), if the message is in the selected application routing the message to a selected application processor( col 3, ln 1-3/ ln 10-16/ ln 29-32/col 10, ln 7-10), processing the message by the selected application processor( col 4, ln 48-52/col 5, ln 54-58/col 9, ln 59-63/ col 10, ln 27-31), routing the message to the next location( col 10, ln 35-36/ ln 45-60). Rosenberg does not explicit teach the term receiving. However, Rosenberg teaches arrives (col 10, ln 46-47). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Rosenberg because Rosenberg's arrives would provides an improved simple determination of the direction in which packet should be routed.

4. **As to claim A2**, Rosenberg teaches the message includes receiving a packet (col 4, ln 48-52).
5. **As to claim A3**, Rosenberg teaches the packet from a network (col 2, ln 37-40).
6. **As to claim A4**, Rosenberg teaches the packet from a switched network (col 1, ln 19-22/ col 10, ln 32).
7. **As to claim A5**, Rosenberg teaches the internet (col 1, ln 29-31).
8. **As to claim A6**, Rosenberg teaches the message is encrypted (col 5, ln 54-57), processing the message by the selected application processor includes decrypting the message by the selected application processor (col 5, ln 54-58).
9. **As to claims C1, C2, C3**, they are apparatus claims of claims 1, 2 and 6; therefore, they are rejected for the same reasons as claims 1, 2 and 6 above.

10. Claims **B1-B6, B8, B10-B12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al (US. Patent 6,560,450 B1) in view of Shanklin et al (US. Patent 6,578,147 b1).

11. **As to claim B1**, Rosenberg teaches a network (networks, col 2, ln 37-38), a fabric configured for communication (col 6, ln 52-56), a plurality of application service devices (satellite nodes 11, col 4, ln 48-52), unprocessed application specific message (packet, col 5, ln 52-58), the plurality of application service devices are configured to receive a plurality of unprocessed application specific message (col 4, ln 45-48), a particular application (the terminals at the edges of the satellite, col 5, ln 55-58), each unprocessed application specific message is configured to be processed by a particular application( col 5, ln 53-58/ col 10, ln 7-10/ ln 27-31), each unprocessed applications specific message is processed with the particular application for with it is configured (col 4, ln 48-52/col 5, ln 54-58/col 9, ln 59-63/ col 10, ln 27-31), a plurality of processed application-specific messages is produced( col 5, ln 56-57), service devices are configured to sent the each processed application specific message to the fabric( col 10, ln 56-62).

12. Rosenberg do not explicit teaches process message in parallel. However, Shanklin teaches process message in parallel (the sensors operation in parallel and analyze packet to determine, col 2, ln 64-66).

13. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Rosenberg and Shanklin because Shanklin's process

message in parallel would determine if there is an attempt to gain unauthorized access to the network.

14. **As to claim B2**, it is an apparatus claim of claim A2; therefore, it is rejected for the same reason as claim A2 above.

15. **As to claim B3**, Rosenberg teaches a hardware state machine (col 10, ln 9-11).

16. **As to claim B4**, Shanklin teaches the plurality of application service devices is included in a single integrated circuit (col 6, ln 65-67).

17. **As to claim B5**, Shanklin teaches each application service device comprises a simple programmable processor (col 10, ln 7-8).

18. **As to claim B6**, Shanklin teaches a plurality of interoperably configured distinct physical devices (col 9, ln 5-6).

19. **As to claim B8**, Shanklin teaches an unprocessed application stream (col 5, ln 56-61).

20. **As to claim B10**, Shanklin teaches an e-mail transfer (col 5, ln 3-5).

21. **As to claim B11**, Shanklin teaches a virtual private networking communication (col 1, ln 15-17).

22. **As to claim B12**, Shanklin teaches a TPC offload engine communication (col 5, ln 63-64).

23. Claims **B7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al (US. Patent 6,560,450 B1) in view of TB (Troubleshooting).

24. **As to claim B7**, Rosenberg does not teach SSL/TLS. However, TB teaches SSL/TLS (SSL/TLS, page 2, ln 12).
25. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Rosenberg and TB because TB's SSL/TLS would improves performance required for implementing an encryption acceleration hardware.
26. Claims **B9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al (US. Patent 6,560,450 B1) in view of Shanklin et al (US. Patent 6,578,147 b1) and further in view of TB (Troubleshooting).
27. **As to claim B9**, Rosenberg and Shanklin do not teaches teaches an SSL/TLS connection between a web browser and a web server . However, TB teaches an SSL/TLS connection between a web browser and a web server (page 4, ln 22-25).
28. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Rosenberg , Shanklin and TB because TB's an SSL/TLS connection between a web browser and a web server would improves performance required for implement encryption acceleration hardware.
29. Claims **C4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg et al (US. Patent 6,560,450 B1) and further in view of Muthukumar et al (US. Patent 6,820,250 b2).

30. As to claim C4, it is an apparatus claim of claim C1; therefore, it is rejected for the same reason as claim C1 above. In addition, Rosenberg teaches the routing of the message to the next location (col 10, ln 58-61).

31. Rosenberg does not teach the first/second iteration, a pineline. However, Muthukumar teaches iteration, a pineline (the first iteration, last iteration, the software pipeline, col 2, ln 64-67).

32. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Rosenberg and Muthukumar because Muthukumar's the first / second iteration, a pineline would improve the performance of software pinelined loops.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

December 23, 2004

*Sue Lao*  
SUE LAO  
PRIMARY EXAMINER